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#3

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FOR IMMEDIATE DELIVERY

To	Firm Name	Phone	Fax
Charles Smoot	PCT Legal Staff	703-305-0045	703-308-6459

From: Kenneth Solomon

Date: 10/08/2002

Message: Re: Application of: Luthra et al.
Serial No. 09/936,587; Filed September 13, 2001
U.S. National Stage of PCT/GB00/00931
Filed March 13, 2000
For: Biocompatible Endoprostheses

RECEIVED08 OCT 2002
Legal Staff
International Division

Per your conversation with Eileen Curran of today, I am enclosing the following copies for your review.

1. Copy of First Class Mailing Transmittal Letter dated November 29, 2001.
2. Copy of Petition for Revival of an International Application with copy of check number 39073 for \$640.00.
3. Copy of check for the National Phase Filing Fee of \$630.00, check number 39072.
4. Copy of return receipt postcard date stamped by the PCT/PTO on December 3, 2001.

Please confirm receipt of this facsimile by return fax.

Kenneth Solomon, Reg. No. 31,427
Thompson Coburn LLP
One US Bank Plaza
St. Louis, MO 63101
314-552-6297
314-552-7297 (fax)



Atty/Client/Matter No.: 3080/66230/08416

Total Number of Pages, including this page: 8

If you do not receive all of the pages, please call 314-552-6297 as soon as possible.

Thank you,

Fax Department - Operator: Time of Transmittal:  A.M./P.M.**Confidentiality Note**

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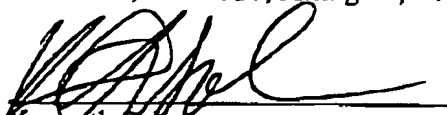
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

St. Louis, Missouri

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: BOX PCT, Attn: PCT Legal Staff, U.S. Patent and Trademark Office, Box 2327, Arlington, VA 22202 on November 29, 2001.



Kenneth Solomon
Reg. No. 31,427
7733 Forsyth Boulevard
Suite 1400
St. Louis, Missouri 63105
(314) 727-5188

In re application of: Luthra et al.

Serial No.: 09/936,587

Filed: September 13, 2001

U.S. National Stage of: PCT/GB00/00913

Filed March 13, 2000

For: Biocompatible Endoprostheses

Examiner
Group Art Unit

BOX PCT; Attn: PCT Legal Staff
U.S. Patent and Trademark Office
Box 2327
Arlington, VA 22202

TRANSMITTAL LETTER

Enclosed please find:

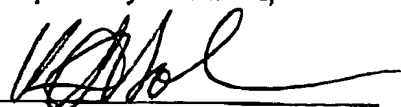
1. Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b) and the small entity fee of \$640.00; and
2. The National Phase Filing Fee of \$630.00.



NOV 29 2001

It is believed that the amounts above are correct. However, if they are incorrect, you are hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account 18-1829. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Kenneth Solomon
Reg. No. 31,427
Howell & Haferkamp, L.C.
7733 Forsyth Boulevard, Suite 1400
St. Louis, Missouri 63105
(314) 727-5188

November 29, 2001

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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

16230-8416

First named inventor: Luthra

International (PCT) Application No.: GB00/00913

U.S. Application No.: 09/936,587
(if known)

Filed: March 13, 2000

Title: BIOCOMPATIBLE ENDOPROSTHESES

Attention: PCT Legal Staff
Box PCTU.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee—required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$640.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$_____ (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of
National Filing Fee (small entity) of _____ (identify type of reply):
\$630.00

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/64/PCT (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

November 29, 2001
Date


Signature

Kenneth Solomon

Telephone
Number: (314) 727-5188

Typed or printed name
Howell & Haferkamp, L.C.
7733 Forsyth Blvd.

Address
Suite 1400
St. Louis, MO 63105

- Enclosures: ☐ Response
☐ Fee Payment
☐ Terminal Disclaimer Form
☒ National Stage Filing Fee
of \$630.00

HOWELL & HAFERKAMP, L.C.

39073

COUNSELORS AT LAW

1/29/2001 Commissioner of Patents & Trademarks

Invoice Date Reference No. Description

Matter ID

Amount

1/29/2001

Luthra et al. (Parabola)

Petition to Revive

16230-8416

640.00

TOTAL PAID INVOICES

640.00

HOWELL & HAFERKAMP, L.C.

COUNSELORS AT LAW
7733 FORSYTH, SUITE 1400
ST. LOUIS, MO 63105-1783
(314) 727-5188

FIRSTAR BANK, N.A.
4-21-810

Express Mail/Invoice Number:

MEMO: S/N 09/936,587

Matter ID: 16230-8416

DATE

11/29/2001

AMOUNT

\$ 640.00

***** Six Hundred Forty & No/100 Dollars

PAY
TO THE
ORDER
OF

Commissioner of Patents & Trademarks
Washington, D.C. 20231

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⑈039073⑈ ⑈081000210⑈ 1999152620⑈

Serial No. 938 587 Reg. No. 16230-8416
 Title/Trademark Biocompatible Endoprostheses
 In the Matter of Luthra et al. (Parabola)
 The following has been received there on the date stamped hereon:

<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Affidavit under Section 8 & 15	<input type="checkbox"/> Declaration & Power of Attorney
<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Petition for Renewal
<input type="checkbox"/> Assignment	<input type="checkbox"/> IDS
<input type="checkbox"/> Maintenance Fee Transmittal	<input type="checkbox"/> Statement of Use
<input checked="" type="checkbox"/> Check \$440.00 (#39073) \$630.00 (#39072)	<input type="checkbox"/> Renewal Application
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Trademark Application
<input type="checkbox"/> Drawings _____ Sheet(s) (Formal; Informal)	<input type="checkbox"/> Patent Application
<input type="checkbox"/> Notice of Opposition	<input type="checkbox"/> Response
<input type="checkbox"/> Letter	<input type="checkbox"/> Specimens
<input type="checkbox"/> Motion	<input type="checkbox"/> Small Entity
<input checked="" type="checkbox"/> Transmittal (dup) pgs 11/29/01	

HOWELL & HAFERKAMP, L.C.

COUNSELORS AT LAW

39072

11/29/2001 Commissioner of Patents & Trademarks

Invoice Date	Reference No.	Description	Matter ID	Amount
11/29/2001		Luthra et al. (Parabola) Nat'l Stage Filing Fee	16230-8416	630.00

TOTAL PAID INVOICES

630.00

HOWELL & HAFERKAMP, L.C.

COUNSELORS AT LAW
 7733 FORSYTH, SUITE 1400
 ST. LOUIS, MO 63105-1783
 (314) 727-5188

FIRSTAR BANK, N.A.
 4-21-810

Express Mail/Invoice Number:

Matter ID: 16230-8416

MEMO: S/N 09/936,587

DATE

AMOUNT

11/29/2001

\$** 630.00

***** Six Hundred Thirty & No/100 Dollars

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 Washington, D.C. 20231

[Signature]
[Signature]

039072 08 1000 210 1999 15 26 20

Serial No. 119/936,587 Reg. No. _____ Do. No. 16230-8416
 Title/Trademark Biocompatible Endoprostheses
 In the Matter of Juthin et al. (Parabola)

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<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Affidavit under Section 8 & 15	<input type="checkbox"/> Declaration & Power of Attorney
<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Petition for Renewal
<input type="checkbox"/> Assignment	<input type="checkbox"/> IDS
<input type="checkbox"/> Maintenance Fee Transmittal	<input type="checkbox"/> Statement of Use
<input checked="" type="checkbox"/> Check \$640.00 (#39073) \$636.00 (#39072)	<input type="checkbox"/> Renewal Application
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Trademark Application
<input type="checkbox"/> Drawings _____ Sheet(s) (Formal; Informal)	<input type="checkbox"/> Patent Application
<input type="checkbox"/> Notice of Opposition	<input type="checkbox"/> Response DEC 19 2001
<input type="checkbox"/> Letter	<input type="checkbox"/> Specimens
<input type="checkbox"/> Motion	<input type="checkbox"/> Small Entity
<input checked="" type="checkbox"/> Transmittal (dup) dpr 11/29/01	JCO7 Rec'd PCT/PTO 03 DEC 2001

POSTED

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